

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF OKLAHOMA**

**IN RE:**

**ATOKA COUNTY HEALTHCARE  
AUTHORITY,**

**Debtor.**

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**Case No. 17-80016  
Chapter 9**

**JOINT STIPULATION OF UNITED STATES TRUSTEE  
AND DEBTOR CONCERNING DETERMINATION THAT DEBTOR IS A  
HEALTHCARE BUSINESS AND  
APPOINTMENT OF A PATIENT CARE OMBUDSMAN**

Samuel K. Crocker, United States Trustee for Region 20 (the “U.S. Trustee”) and Atoka County Healthcare Authority (the “Debtor”), by and through their respective legal counsel, hereby stipulate as follows:

1. The Debtor filed its voluntary petition seeking relief under Chapter 9 of the Bankruptcy Code<sup>1</sup> on January 10, 2017.
2. The Debtor is a healthcare business as defined in Section 101(27A) of the Bankruptcy Code, providing medical, nursing, and custodial care services.
3. Section 333 of the Bankruptcy Code and Rule 2007.2 of the Federal Rules of Bankruptcy Procedure provide that a patient care ombudsman shall be appointed in the case of a healthcare business unless a party in interest files a motion within 21 days of commencement of a debtor’s case requesting a finding by the court that “the appointment of a patient care ombudsman is not necessary under the specific circumstances of the case ...”. *See* FED. R. BANKR. P. 2007.2.

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<sup>1</sup> All statutory references shall refer to the United States Bankruptcy Code, 11 U.S.C. §§ 101-1331, unless otherwise noted.

4. The Debtor and the U.S. Trustee agree that the appointment of a patient care ombudsman is appropriate and necessary in this case pursuant to Section 333 of the Bankruptcy Code and Rule 2007.2 of the Federal Rules of Bankruptcy Procedure.

5. Both parties may revoke these stipulations. Further, both parties agree that these stipulations are without prejudice to any party-in-interest's right to request that any ombudsman be replaced or removed at a later date upon a showing of cause and notice and opportunity to respond to such request consistent with §333 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 2007.2.

6. Further, both parties agree this stipulation is entered into without prejudice to, or waiver of, any arguments regarding standing with regard to §§ 307 or 901 of the Bankruptcy Code.

WHEREFORE, the Debtor and the U.S. Trustee submit these stipulations as set forth above and request this Court enter an Order directing the UST to appoint a patient care ombudsman.

Dated: January 25, 2017

SAMUEL K. CROCKER  
UNITED STATES TRUSTEE

/s/ Bonnie N. Hackler

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ATOKA COUNTY  
HEALTHCARE AUTHORITY

/s/ Jeffrey E. Tate

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